

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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MARY J. R.

Plaintiff,

v.

No. 6:20-CV-1562  
(CFH)

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**APPEARANCES:**

Law Offices of Kenneth Hiller, PLLC  
6000 North Bailey Ave., Ste. 1A  
Amherst, New York 14226  
Attorneys for plaintiff

**OF COUNSEL:**

JUSTIN M. GOLDSTEIN, ESQ.

Social Security Administration  
J.F.K. Federal Building, Rm. 625  
15 New Sudbury Street  
Boston, Massachusetts 02203  
Attorneys for defendant

JESSICA RICHARDS, ESQ.

**CHRISTIAN F. HUMMEL  
U.S. MAGISTRATE JUDGE**

**ORDER<sup>1</sup>**

Currently pending before the Court in this action, in which plaintiff seeks judicial review of an adverse administrative determination by the Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g), are cross motions for judgment on the pleadings. See Dkt. Nos. 12, 15.

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<sup>1</sup> Parties consented to direct review of this matter by a Magistrate Judge pursuant to 28 U.S.C. § 636(c), FED. R. CIV. P. 73, N.D.N.Y. Local Rule 72.2(b), and General Order 18. See Dkt. No. 5.

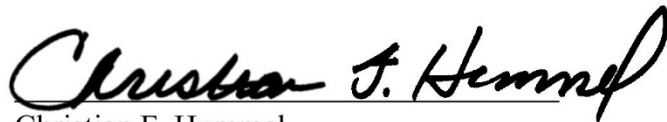
On February 8, 2022, the Court conducted an on-the-record oral argument in connection with these motions. The transcript of that proceeding is annexed hereto and incorporated herein by reference. At the close of the argument, I issued a bench decision in which, after applying the proper deferential standard, I found that the Administrative Law Judge's decision was supported by substantial evidence, providing further detail supporting my reasoning and addressing the specific issues plaintiff raised on appeal.

After due deliberation and based on the Court's oral bench decision, it is hereby **ORDERED**, that:

- (1) The Commissioner's decision is **AFFIRMED**; and
- (2) Plaintiff's motion for judgment on the pleadings, dkt. no. 12, is **DENIED**; and
- (3) The Commissioner's cross motion for judgment on the pleadings, dkt. no. 15, is **GRANTED**; and
- (4) The Clerk of the Court shall serve copies of this Order on the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

Dated: February 14, 2022  
Albany, New York



Christian F. Hummel  
U.S. Magistrate Judge